IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION

NOTICE OF MOTION NO.2240 OF 2003
IN
TEST.PETITION NO.708 OF 2000

Mrs.Regina Athaide ..Petitioner/

Vs.

Mr.Antony Anthaide & Anr. ..Applicants

Mr.Denzil D'Mello for the petitioner

None for the respondent

CORAM : S.U.KAMDAR, J

DATED : 17TH JUNE, 2005

P.C.:

. The present Notice of Motion has been taken out for the purpose of bringing the name of the applicant and one more brother on record as they are claiming to be the legal heirs of the deceased as per the provision of the Indian Succession Act. By prayer (b) applicant is also claiming that one of the properties which is not included in the Schedule I of the petition be added and by prayer (c) applicant is seeking for Interim order not to dispossess of or create any third party right in respect of the said property. Notice of Motion is

served. Affidavit of Service dt.13.08.2003 is also filed. None appears for the petitioner. There is no affidavit in reply to the present petition. In view thereof, motion is made absolute in terms of prayer clause (a), (b) and (c) excluding the word "dealing with" in prayer (c) of the Motion.